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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/470,571	01/06/1995	HARVEY	05634.0261

EXAMINER

ART UNIT	PAPER NUMBER
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21

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) JOHN C. HARVEY (2) THOMAS SCOTT, JR. (3) DONALD LECHER (4) WILLIAM LUTHER
(5) ANDREW FAILE (6) CHI PHAM (7) TOMMY CHIN (8) WELLINGTON CHIN (9) DANIEL HUNTER

Date of Interview 11/20/1999

Type: ☐ Telephonic ☐ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description: _____

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: 56,

Identification of prior art discussed: NONE

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: 35 USC 112
ISSUE RAISED IN THE OFFICE WAS DISCUSSED. APPLICANT AGREED
PROVIDE CLARIFICATION AS TO THE SCOPE OF NEWLY ADDED TERMS.
SEE ATTACH FOR DETAILED DISCUSSION.

A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.

Andrew Faile
08 27155

Serial Number: 08/470,571
Interview Date: January 20, 1999

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Participants:
Chi Pham
William Luther
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Tommy Chin
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Thomas Scott, Jr.
John C. Harvey
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US 4,694,490 Patented 9/15/1987 filed 11/3/1981

General Discussion

Analogy to the overlay utilized in a number of TV programs such as Wall Street Week. Information and instructions are transmitted along with the programming. A plurality of overlays are generated. Embedded instructions are transmitted to local PBS stations from a source station for retransmission to cable network. First instruction is transmitted to microprocessor to program the microprocessor to generate overlays.

Julia Child embodiment, if you want a copy of the recipe you are watching press the code (567) which is conveyed to the processor, processor compare the code which is used to tune the receiver, activate the printer and enable the decrypter for receiving the recipe.

Remote data collector is remote with respect to the local receiver/subscriber. Remote data collection includes request of recipe, actual receipt of the data. Disclosed as being done by telephone thereby enable various data collection including billing information. Col. 8, lines 5-12 and 56-62.

The remote station may be more than one. "Pay per view" is not used but col. 8.

Remote data collection, col. 18, lines 35-42.

Plurality of remote sites col. 8, 53-56. Col. 5, lines 7-14.

Figures 6E and 6F show a home example.

Figure 3 shows the intermediate site (head end) with processing being performed at the intermediate site or some of the processing functionality being performed at the local site (subscriber).

Col. 4, lines 5-13 control signals are embedded in the signal for controlling the intermediate (headend) and/or local station (subscriber).

Two way communication - telephone line is disclosed for two way communications. Col. 19, 35-41 automatic query. There is no return path on the cable network disclosed. The reverse channel is disclosed as being a separate communication path being provided by the telephone or data network which is separate from the cable network. Col. 15, lines 1-19. Col. lines 9, 21-23.

Programming of the local station, col. 22, lines 14-24

Two issues were raised with respect 35 USC 112, enablement and new matter (written description).

Applicant initially indicated that claim 56 is directed to the combination of the Wall Street Week and Julia Childs analogies as disclosed. After further discussion Applicant indicated that in fact the claim is directed to the Julia Childs analogy as discussed below.

There are three distinct pieces of information the data, the acknowledgment, and code.

- The "acknowledgment" finds support in the specification at col. 20, lines 44-47 and is "information that the 567 order was placed by the viewer and *all necessary equipment was enabled.*" (emphasis added). Applicant will provide further examples of support for "acknowledgment" in the specification whereby clearly defining the scope of the term "acknowledgment".
- 1st output device reads on the data recorder 16.
- Applicant will provide additional examples for terms which do not have clear antecedent basis (such as "transaction", "datum", etc.) thereby clearly defining the scope of the new terms.
- The 1st output device (data recorder 16) receives the transaction and the acknowledgment.
- Selecting means "picking" either the a datum or a code for delivery from a stream of information.
- Processor site may be either the remote site (such as billing site) or be co-located at the receiver site (subscriber).
- Selecting is selecting one of order is placed (code), equipment is enabled (datum) or delivered (datum).
- Col.15, lines 20-25, shows the interactive nature of the invention.
- Col. 20, lines 54-59, supports "delivering one of said transaction and said acknowledgment" shows delivering of acknowledge for billing purposes. However the second "said acknowledgment" at the second to last line of claim 56 indicates the transaction has been completed is different from "an acknowledgment" at line 9.
- Col. 17, lines 34-46, was recited by applicant as support for the combination of Julie Childs and Wall Street embodiments to support claim 56. However, original specification fails to show clear support which discloses the merit combination as claimed. Hence claim 56 reads on Julie Childs with amplification on decryption from fig. 4.